

**CALIFORNIA MARINE LIFE PROTECTION ACT INITIATIVE  
STATEWIDE INTERESTS GROUP  
MARCH 24, 2006 MEETING SUMMARY  
(2:00-3:30 p.m. via conference call)**

**SIG members present:** Don Canestro, Eric Endersby, Karen Garrison, Vern Goerhing, Ken Kurtis, Mike Osmond, Linda Sheehan, Erin Simmons

**Others present:** Phil Isenberg (Chair, MLPA Blue Ribbon Task Force), Amy Boone (MLPA Initiative staff), John Kirlin (MLPA Initiative staff), Maura Leos (notetaker, DFG staff), Melissa Miller-Henson (MLPA Initiative staff), Jack Peveler (listening for Carol Abella)

**Acronyms used:** California Department of Fish and Game (DFG), California Fish and Game Commission (F&GC), geographic information system (GIS), Marine Life Protection Act (MLPA), marine protected area (MPA), MLPA Blue Ribbon Task Force (BRTF), MLPA Central Coast Regional Stakeholder Group (CCRSG), MLPA Master Plan Framework (MPF), MLPA Master Plan Science Advisory Team (SAT)

### **Update on Central Coast MPA Packages**

For those not at the meeting in Monterey on March 14-15, a summary of the outcome was included as a memo attached to the agenda for this meeting. Posted to the website are maps of the revised packages, including amended errors in Package 3R (these were posted on Monday). Staff is working on the regulations proposed in each package and hope to have them finished next Monday. This will be presented in the same format as previously, in table form for each package. The news release was posted. As documents are developed staff will produce side by side maps.

There was some concern expressed that it is difficult to follow the links. The MLPA Central Coast Project webpage should be at the top so "Joe Diver" can see exactly where to go. There should be something directing visitors to the website. Staff responded that the new website, which has now been transferred to the DFG test servers, will have that format. It is scheduled to go "live" after the task force materials are posted. As far as what else is likely to be posted over time, there will be the SAT evaluation of the packages; that is still some time away since the packages will have to be formally transmitted to DFG. The transmittal will probably happen sometime in the next couple of weeks, but it will essentially be a record of action and will not have SAT evaluations. Staff will continue to talk with Sonke Mastrup (DFG) and John Carlson (executive director of the California Fish and Game Commission) to put the materials in the best, most useful format.

A SIG member asked if there is anticipated SAT review and when? Staff answered that the SAT meets on May 1, 2006. Evaluations are not expected to be publicly released until there is a full SAT review.

One of the SIG members indicated the memo attached to the agenda for this meeting that summarizes the convoluted motions was very informative; it really helped clarify what happened at the meeting and should be posted on the website. Staff indicated that it will be posted.

### **March 14-15, 2006 Task Force Meeting**

John Kirlin reported that because the BRTF focused on the central coast MPA packages, the framework documents and long-term cost estimates were not discussed at the March 14-15 BRTF meeting. Staff is asking for everyone to look at those documents and provide any comments by April 14, 2006.

Amy Boone discussed the long-term cost estimates document she was not able to present at the BRTF meeting. Staff is developing a cost model and is fairly close to having a version available for public comment. This is further development of work Amy started with the consultants and includes how much revenue needs to be raised for long-term implementation of the MLPA. Staff is using the Florida Keys National Marine Sanctuary and the Channel Islands process to arrive at more solid numbers. Staff is waiting for the final round of revisions and then the document should be ready to go out in the next couple of weeks. A number of stakeholders have continued to engage in dialogue with staff on this issue.

A SIG member asked if this was just for the central coast or the entire California coast. Staff answered that it applies to the whole coast, broken down over the next ten years and is just cost estimates, not from where the revenue is coming.

A SIG member commented that he hadn't read the original document thoroughly, but he suspects we are looking at a budget over hundreds of millions of dollars. Staff believe the cost estimates (analyses) will indeed be a substantial number. The cost model is a professionally defensible approach and is not a lowball approach.

John Kirlin asked SIG members to comment on what went right and what went wrong at the BRTF meeting.

A SIG member noted that he had received a couple of email messages from close watchers of the meeting, with the complaint that existing fishery management was not considered by the SAT in its evaluations. Some stakeholders believe the SAT members are biased and that the BRTF followed that bias in its decision. As a result, moving to the remaining regions with this process would be counterproductive. A second complaint was made about the "preferred" MPA size concept and the fact that it is not listed in the legislation.

Discussion ensued about how much of the complaints are related to the outcome or the process. The folks who wrote the email message weren't really clear about what the outcome was from the BRTF meeting and SAT analyses. The same folks complained about the information in the framework; they didn't feel size and spacing belonged in that document.

A SIG member commented, and others agreed, that the BRTF made too many decisions at the last moment; that kind of last-minute action leaves folks wondering if somehow all those months of stakeholder process were simply changed in a day. Another SIG member asked, "By the same token, isn't the process such that the Fish and Game Commission can come to

an independent, different conclusion?” While true, a SIG member suggested that the legacy of the BRTF was to pass on a package from the stakeholders, which didn’t happen in a couple of cases. In general, stakeholders would like to see more clarity and less “mucking around” by the BRTF. The merging of Package S into Package 3 was especially confusing since it wasn’t done in public and was explained very quickly.

Staff asked what this means for subsequent processes, should only interest groups give packages to the F&GC? The SIG members generally answered no, but also said that maybe there should not be a BRTF later. A SIG member said that we need to establish meaningful MPAs.

Staff then asked how the next stage should be handled to include stakeholders. A SIG member answered that there was just enough stakeholder input. Staff got the best and the finest in the case of central coast stakeholders. What is a concern about doing it again this way is that people will look back at the CCRSG process and the perception will be that this was really done on the very last day by the BRTF and the stakeholder process was ultimately a waste of time.

A SIG member commented on the public trust of the process; many feel the rug was pulled out from under them. Staff asked if the SIG members feel the BRTF should not have been authorized to make its own recommendation. A SIG member answered that perhaps it should have been done earlier in the process. Staff commented that the BRTF needed to receive recommendations from the stakeholders; ultimately, the stakeholder packages were not all that far apart on major issues.

Another SIG member expressed feeling a similar way; some stakeholders went into the process believing that the BRTF would review, not modify, packages. It was not in the framework to do things this way. When the process came to an end and packages 1, 2, and 3 floated to the top, some CCRSG members had an understanding that the BRTF would have comments but that the final action would simply be a review and recommended changes that would then go forward to the F&GC. Staff responded that, no, the MPF specifically directs the BRTF to recommend a preferred alternative. The SIG member responded that the BRTF should have sent the stakeholder packages forward with suggested changes only. To a degree, what happened has “queered” the next process.

There was a brief discussion regarding Package AC, the combined outside package that the BRTF dropped altogether in the last meeting. Some SIG members felt there had been enough dialogue with CCRSG members to warrant this, and others felt the opposite. There was opinion stated that the BRTF had a job to listen to the public as well as the CCRSG and the BRTF didn’t pick a strong enough alternative (for protection purposes).

The SIG members were reminded that the purpose of this call is to see how we can make it stronger in the future. A SIG member indicated that the SIG’s task is in part to sell the idea that just because individuals didn’t necessarily get what they wanted doesn’t mean the process isn’t working; SIG members aren’t doing their job right with constituents if they don’t make it

clear that it's more about process and ensuring that all sides are heard, not that everyone gets their way.

Chair Isenberg identified what he thought he was hearing in the conversation, that is, that the failure of the meeting really was the fact that it could not be characterized as a crushing victory or defeat for one side or the other.

A SIG member responded, no. What happened was a great improvement over other public processes. The fishing community received a lot more attention out of this than from any other process. The comments from members of the fishing community came from "...some of our best and brightest....."

The SIG members were reminded about the MLPA Lessons Learned Project. It was suggested that it would be helpful to have in mind what process stakeholders would have liked to see if not the one that took place. Think about what was expected and would have liked to have seen rather than just indicate unhappiness about this process.

Chair Isenberg asked one of the SIG members to put on his hat as meeting and computer advisor and give staff thoughts about the streaming video. How can it be made better? The SIG member said the best person to answer the question is Steve Mathieu from SLO-Span. He doesn't have the budget he needs to make this more professional. The ultimate solution may be the DVDs; being able to review the DVDs of the meetings is very, very helpful.

A SIG member asked about how a preferred alternative will be chosen in the next round of MLPA without a BRTF. Staff indicated that the state still hasn't made a decision about whether there will be a BRTF and, if not, how a preferred alternative will be selected. Question: What about the possibility of keeping the BRTF together just for that purpose? And, are these some of the reflections the lessons learned consultants will be going through? Staff said, yes, and staff have a conference call with the consultants on refining their work plans and laying out a schedule for contacting people. Staff would like you to suggest options for the future. Part of what made this process work was the BRTF. That function needs to be performed somehow if not by the BRTF.

Chair Isenberg indicated that he thought part of the process making this confusing was that the BRTF encouraged proponents to keep providing their views and changes long after the CCRSG process was over. This delayed the overall process. Someone needs to say stop, no more changes, earlier, to allow the BRTF to do its job better.

### **Additional Tasks to Support MLPA Implementation**

There was a very short discussion about preparing for the next study region. There is a memo being developed explaining needed preparations for the next study region with regard to data layers and further development of decision support tools. Staff understanding of the process and data needs is better than it was and is now being put in place for the next region. It would be good if staff knew what the boundaries were for future study regions so we could create

study layers based on those boundaries. A SIG member suggested that, in the implementation of the central coast phase, please support data collection as soon as possible as people are already asking for money to do baseline studies.

A SIG member asked if this subject was likely to surface at the May BRTF meeting. Staff is working to develop this information with DFG, so it may be reported at the May meeting. This activity was not part of the charge for the MLPA Initiative, but it makes a lot of sense in order to move MLPA forward.

### **Open Discussion**

A SIG member made note of how few folks are actually involved in the conference call, which reflects a general apathy in his opinion. No one has a clue about what's happening for the next region. The reality is it needs to go somewhere because that is what the law requires, but there is no input on where to go next and only DFG can provide the necessary input on what is doable once the BRTF has retired. There has been input and public comment and the next place could be anywhere from south of the central coast study region to north of San Francisco Bay. The SIG member said he will miss the BRTF; "you guys" have done something that has helped all of us to formulate how to participate. The BRTF is leaving behind something that will underscore the necessity of stakeholder involvement, and that includes ALL stakeholders.

A SIG member from the south was asked if he would like the process to come south. Point Conception to the border with Mexico constitutes less than one third of the coastline, yet contains more than three quarters of all MPAs in California; he said he felt that the south part of the state doesn't really need anything else. This doesn't mean folks in the south don't want to satisfy the act. MLPA is not the only act governing people out on the water; there is also the MLMA [Marine Life Management Act] and the feds, and they are all very important.

Another SIG member agreed. She likes the idea of moving north and sees more flexibility there. The longer there are some protected areas in place the more comfortable fishermen will become if they can see the benefits.

Will the lessons learned report talk about any of this? No, there is no expertise in this subject. Staff will have to address this issue, though there may end up being some take on this in the implications from the interviews. Southern California is one ecosystem. Staff is fully expecting interview participants will say this process has had a deep stakeholder involvement and will hear people make judgments. Participants might then recommend something of the same magnitude.

A couple of SIG members indicated that they felt the MLPA is in a vacuum. The BRTF would benefit from greater integration with other issues such as water quality, which was not as comprehensive as it should have been. The state water board should give its own briefing in the future. Many MPAs are placed where water quality is the bigger issue. Staff indicated that there is something in the BRTF's recommendation to forward to the F&GC related to the issue

of what happens on land being as important as what happens in the water. Without fixing the land issues you can't fix the water issues.

### **Future Meeting Dates**

Public comment on the three framework documents is due April 14, 2006. The next SAT meeting is May 1, 2006. The next BRTF meeting is May 25, 2006 and will be a joint meeting with the F&GC from 9:30 a.m. to 12:30 p.m. The next SIG conference call will be June 7, 2006 from 2:00 to 4:00 pm. There is a BRTF meeting tentatively scheduled for September 6-7, 2006 with another SIG conference call 10 days later. Finally, there will be a wrap-up meeting later in the year for the BRTF.

Chair Isenberg adjourned the call.